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Agenda

• TEACH Act Background
• Collaborative Process
• Key Elements of Emerging Legislation
• The Path Forward
TEACH Act Background
Accessibility, Not Copyright

- This “TEACH”: Technology, Equality, and Accessibility in College and Higher Education Act (2013)
  - Focus: Voluntary accessibility guidelines for electronic instructional materials and related technologies
  - Name change coming
History

- HEOA creates postsecondary accessible instructional materials commission (2008)
- Commission calls for instructional materials guidelines (2011)
- TEACH Act introduced in U.S. House (2013) and Senate (2014)
- Higher ed. groups join NFB, AAP to develop a new approach (2014)
Key Discussion Points

- **Agreed on:**
  - Shared goal of advancing accessibility of electronic instructional materials, technologies
  - Voluntary guidelines within existing law and regulation

- **Needed to work on:**
  - Clarification of definitions, scope
  - Designing an effective process
Collaborative Process
Nature of the Process

- Negotiating team: NFB, AAP, ACE/EDUCAUSE (on behalf of assoc. group)
- Met regularly, starting October 2014; with frequent communication between meetings
- Confirmed shared outline in June, started drafting bill in late July, in process now
- Goal of including legislation in HEA reauthorization
Nature of the Process, continued

- Broad stakeholder communities with diverse views and interests
- Balancing concerns, vetting proposals, finding solutions – it all takes time
- Goodwill and patience by all = success so far, with a bill taking shape
- HEA reauthorization delayed
Key Elements of Emerging Legislation
Getting to Guidelines

- Compromise bill won’t create the voluntary guidelines
- Establishes an independent commission, supported by a panel of technical experts
- Balanced stakeholder representation
- Will engage presidents, CIOs, provosts, other senior executives for top-level buy-in
Getting to Guidelines, continued

- Review general standards, identify gaps, then develop guidelines to bridge the gap (where possible)
- Produce an annotated list of general IT standards, too
- Eighteen months to complete, with six-month extension available
- Super-majority (75%) required to approve the guidelines and the list
Getting to Guidelines, continued

- Legal safe harbor for following guidelines, limited safe harbor if document process only
- Guidelines remain voluntary; no changes to existing law and regulations
- “Electronic instructional materials” & “related technologies” tied to instructional program
The Path Forward
Our Next Steps

- Negotiating team reaches shared draft, vets/finalizes with other stakeholders
- Identify House/Senate sponsors and introduce bill in Congress
- Meet with congressional staff as needed to educate them about provisions/impact
Legislative Process

- Sponsors, relevant committee staff may make changes, requiring more negotiation
- Bill may get integrated with Higher Education Act reauthorization
  - Helpful to have the issue considered in context of higher education policy generally
  - Timetable for reauthorization uncertain, though
  - May lead to longer-term engagement with Congress before passage
For Future Updates…

- Watch the *EDUCAUSE Review Online* “Policy Spotlight” blog: http://er.educause.edu/columns/policy-spotlight

- Watch the *ACE Advocacy News* webpage: http://www.acenet.edu/advocacy-news/Pages/default.aspx

- Subscribe to *EDUCAUSE Policy Digest*: http://net.educause.edu/PolicyDigest/1029292
Questions or comments?

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